

Montana Department of Justice

Sexual Assault Kit Initiative

Course “Preparing for a Sexual Assault Response”

Intro

Slide 2: Welcome to the course Preparing for a Sexual Assault Response.

Slide 3: Disclaimer: This project was supported by Grant No. 2017-AK-BX-0022 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice."

Slide 4: Content Warning: We will be talking about sexual violence which may trigger personal feelings. Please remember to take care of yourself and do what you need to help yourself.

Slide 5: In this course, you will learn what to expect during a sexual assault response, you will learn about the flow of an investigation, and you will learn about the importance of recognizing diversity and protected classes.

Slide 6: Menu: Select an option below.

- What to Expect
- Flow of Investigation
- Diversity and Protected Classes

What to Expect

Slide 7: When you receive the call to respond to and investigate a sexual assault, start from the beginning. Refresh your memory with the information in the Investigating Sexual Assault Guide, and with the information you receive from dispatch. Remember, you are not alone. This process involves a coordinated response among medical, advocates, prosecutors, and law enforcement.

Slide 8: A thorough response will be time consuming, and you may run into obstacles. You can manage your stress by doing the following:

- Prepare for a difficult conversation.
- Practice using difficult or intimate words.
- Refer to your training materials.
- Be aware of victim services and resources in your area or nationally.
- Use relaxation techniques. To learn more, please visit the course: Secondary Trauma.

Don't forget: In sexual assault cases, the survivor is the focal point and priority.

Flow of Investigation

Slide 9: The first step is to prioritize the investigation and decide how it should proceed. Create a priority list by relying on your own observations and information gathered during your initial response to the scene. Remember, that the investigation should be survivor centered. Always prioritize safety for the survivor and anyone else involved in an unfolding crime or situation.

Slide 10: Part of your preparation should include gathering relevant community resources, contact information, or programs to refer to the survivor. Remember to be aware of advocacy programs in your community and surrounding areas. This may include leveraging national hotlines and resources, as well.

Slide 11: By breaking the investigation into phases and proceeding methodically, you will not miss critical steps in the process. There are nine phases of an investigation. Select a phase to the left of the screen to learn a bit more about the nine phases.

Slide 12: Menu:

Slide 13: A. Survivor: If there is a threat to the survivor or the public, first address the threat. Conduct a survivor-centered, trauma-informed investigation.

Slide 14: B. Location of Assault or Crime Scene: Establish the number of scenes, security, contamination concerns, and the legal basis.

Slide 15: C. Witnesses: Identify any witnesses and obtain proper identification and contact information.

Slide 16: D. Social Media: You should learn how to search for, identify, and harvest evidence from social media.

Slide 17: E. Technology: Consider several sources of technology for evidence, identify evidence from a device, and pay attention to possible legal issues.

Slide 18: F. Suspect: Gain as much information about a suspect as possible and confirm their identity.

Slide 19: G. Lab and DNA Submission: Follow proper evidence collection and storage techniques.

Slide 20: H. Follow-Up: Such as supplemental interviews of the survivor, suspect, and witnesses.

Slide 21: I. Case Submission: When you've arrived at this stage, you will organize and document, in a written report, the entirety of the investigation.

Slide 22: Let's review all nine phases. You will learn more about these phases in the next courses.

- A. Survivor
- B. Location of Assault or Crime Scene
- C. Witnesses
- D. Social Media
- E. Technology
- F. Suspect
- G. Lab and DNA Submission
- H. Follow-Up
- I. Case Submission

Slide 23: Why is it important to prioritize how a sexual assault investigation should be conducted? Prioritizing the protocol for an investigation enables us to conduct a thorough investigation and lessen the possible re-traumatization for the survivor.

Diversity and Protected Classes

Slide 24: When responding to a call, it is important not to make assumptions about which individual may be the survivor based on their race, ethnicity, national origin, religion, gender identity, sexual orientation, disability, or immigration status. You should be objective and fact-driven when conducting any investigation.

Slide 25: As a law enforcement officer, you encounter citizens daily. Today's society is a blend of races, ethnicities, national origins, religions, gender identities, sexual orientations, disabilities, and immigration statuses. All of these classes are protected. Set aside any biases.

Article 2 – Section 4 of the Montana Constitution states: “Individual Dignity. The dignity of the human being is inviolable. No person shall be denied the equal protection of the laws. Neither the state nor any person, firm, corporation, or institution shall discriminate against any person in the exercise of his civil or political rights on account of race, color, sex, culture, social origin or condition, or political or religious ideas. <https://courts.mt.gov/portals/189/library/docs/72constit.pdf>

In addition, Montana Code Annotated 49-2-308 describes Prohibited Discriminatory Practices. For a more in-depth look at the code, select this link: https://leg.mt.gov/bills/mca/title_0490/chapter_0020/part_0030/section_0080/0490-0020-0030-0080.html

Slide 26: In a sexual assault investigation, regardless of the race, ethnicity, national origin, religion, gender identity, sexual orientation, disability, or immigration status of the people involved, you must conduct the investigation by being survivor centered. Equally, in a survivor-centered investigation, you must be aware of and consider issues regarding race, ethnicity, national origin, religion, gender identity, sexual orientation, disability, or immigration status.

Slide 27: LGBTQ+. First, understand the terminology for sexual orientations and gender identities by watching the following video. Press the start button in the center of the video.

Video: LGBTQ+ Terminology: The Importance of Educating Yourself:
<https://www.youtube.com/watch?v=XEKqnVyroBk&t=274s>

Slide 28: Next, understand the terminology for persons who fall under protected classes. The National Institutes of Health define each racial and ethnic category as follows. Select a protected class to learn more.

Slide 29: Native American, American Indian, or Alaska Native: A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachments.

- Asian: A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- Black or African American: A person having origins in any of the black racial groups of Africa.
- Hispanic or Latino: A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

- Native Hawaiian or Other Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- White: A person having origins in any of the original peoples of Europe, the Middle East, or Northern Africa.

Slide 30: Other protected classes are the elderly: The population considered by the Social Security Administration as 65 years of age or older.

And the Developmentally Disabled: Having a physical or mental impairment that becomes apparent shortly after birth or during childhood and delays, limits, or prevents the progression of normal development.

Slide 31: There are different reasons why survivors might not come forward. Learn more, by watching the following video.

Video: Duty Trumps Doubt: <https://www.youtube.com/watch?v=n6TZWVif94U&t=288s>

Slide 32: Why survivors might not come forward:

- Certain customs and beliefs of races and ethnicities can cause a survivor to not be forthcoming with information.
- Communities and individuals have different expectations and methods of reporting.
- In some cultures, rape can bring the feeling of shame to their family and community.
- Others are expected to keep sexual violence private or within the family or community.
- In other cases, especially for black, indigenous, and people of color, feeling that they won't be believed is a major barrier to reporting sexual violence. It is a fear rooted in widespread institutional and historical factors. People may have experienced instances of interpersonal racism with medical providers, police officers, university officials, or other individuals in positions of power.

Slide 33: Having identified a survivor as a member of a protected class, you may learn through investigation that the sexual assault may have been committed based on the survivor's protected class status. This elevates the offense to that of a hate crime, given the person's protected class status.

Slide 34: Let's test what you've learned. Take the quiz on the following pages to test your knowledge.

Slide 35: Correct or Incorrect: In sexual assault cases, the survivor should be your first priority.

- Correct
- Incorrect

Correct: That's correct. In sexual assault cases, the survivor is the focal point and priority. Click anywhere to continue.

Incorrect: That's not right. In sexual assault cases, the survivor is the focal point and priority. Click anywhere to continue.

Slide 36: Multiple Choice: There are nine phases to a sexual assault investigation, including: (mark all that apply)

- A) Survivor
- B) Location of Assault or Crime Scene
- C) Witnesses
- D) Social Media
- E) Technology
- F) Suspect
- G) Lab and DNA Submission
- H) Follow-Up
- I) Case Submission

Correct: That's right. The nine phases of a sexual assault investigation include the survivor, the location of the assault or crime scene, witnesses, social media, technology, the suspect, lab and DNA submission, and follow-up, and case submission. Click anywhere to continue.

Incorrect: That's incorrect. The nine phases of a sexual assault investigation include the survivor, the location of the assault or crime scene, witnesses, social media, technology, the suspect, lab and DNA submission, and follow-up, and case submission. Click anywhere to continue.

Slide 37: Correct or Incorrect: Prioritizing the protocol for an investigation enables us to conduct a thorough investigation and lessen the possible re-traumatization for the survivor.

- Correct
- Incorrect

Correct: That's right, good job! Prioritizing the protocol for an investigation enables us to conduct a thorough investigation and lessen the possible re-traumatization for the survivor. Click anywhere to continue.

Incorrect: No, that's not right. Prioritizing the protocol for an investigation enables us to conduct a thorough investigation and lessen the possible re-traumatization for the survivor. Click anywhere to continue.

Slide 38: Multiple Choice: Which of these classes are considered protected? (mark all that apply)

- A) Race
- B) Ethnicity
- C) National Origin
- D) Religion
- E) Gender Identity
- F) Sexual Orientation
- G) Disability
- H) Immigration Status

Correct: That's right. Today's society is a blend of races, ethnicities, national origins, religions, gender identities, sexual orientations, disabilities, and immigration statuses. All of these classes are protected. Set aside any biases. Click anywhere to continue.

Incorrect: No, you didn't get them all. Today's society is a blend of races, ethnicities, national origins, religions, gender identities, sexual orientations, disabilities, and immigration statuses. All of these classes are protected. Set aside any biases. Click anywhere to continue.

Slide 39: Multiple Choice: There are different reasons why a survivor might not come forward, including: (mark all that apply)

- Certain customs and beliefs of races and ethnicities
- Communities and individuals have different expectations and methods of reporting.
- In some cultures, rape can bring the feeling of shame to their family and community.
- In other cases, especially for black, indigenous, and people of color, feeling that they won't be believed.

Correct: Yes, that's correct. There are many different reasons why a survivor might not come forward, which includes your choices above. Good job! Click anywhere to continue.

Incorrect: No, that's an incomplete answer. There are many different reasons why a survivor might not come forward, including all of the above answers. Read over them again. Click anywhere to continue.

Slide 40: Quiz Results

Slide 41: In this course, you have learned about the flow of a sexual assault investigation and the importance of recognizing diversity and protected classes.

Slide 42: Resources:

Select the linked images below to learn more.

[The Montana DOJ's Investigating Sexual Assault Field Guide](#)

[Transvisible Montana](#)

[Youtube Link to Video: LGBTQ+ Terminology](#)

[Montana Code Annotated 49-2-308 Prohibited Discriminatory Practices](#)

[NIH Diversity Program: Racial and Ethnic Categories and Definitions](#)

[Montana Constitution Article II, Section 4. Individual Dignity](#)

[Montana State University: Protected Classes Defined](#)

[Jane Doe No More: Duty Trumps Doubt](#)

Slide 43: Thank you for completing this course. Select "Close" to exit.